



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** October 1, 2008  
**AGENDA DATE:** October 8, 2008  
**PROJECT ADDRESS:** 281 Schulte Lane (MST2008-00264)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Zoning & Enforcement Supervisor *RLB*  
 Roxanne Milazzo, Associate Planner *RM*

### I. PROJECT DESCRIPTION

The 1.83 acre project site is currently vacant. The proposed project involves a 3,851 square foot, 2-story single family residence with attached 3-car garage. The discretionary application required for this project is a Modification to permit a portion of the proposed residence and garage and two uncovered parking spaces within the required thirty-five foot (35') front setback (SBMC §28.15.060).

Date Application Accepted: September 3, 2008      Date Action Required: December 3, 2008

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project as submitted.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Mohamed Moharram	Property Owner:	Same
Parcel Number:	055-230-002	Lot Area:	1.83 Acres
General Plan:	1 Unit Per Acre	Zoning:	A-1
Existing Use:	Vacant	Topography:	15%
Adjacent Land Uses:			
North – One-Family Residence		East - One-Family Residence	
South – Foothill Road		West – One-Family Residence	

**B. PROJECT STATISTICS**

	Existing	Proposed
Living Area	N/A	3,851 sf
Garage	N/A	720 sf
Accessory Space	N/A	N/A

**C. PROPOSED LOT AREA COVERAGE**

Building: 3,704 sf; 4%      Hardscape: 4,000 sf; 5%      Landscape: 74,119 sf; 91%

**IV. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
- Front	35'	N/A	25' & 15' Parking

**V. DISCUSSION**

This project was reviewed by the Single Family Design Board on several occasions. The Board recognized the site constraints provided by both the narrow lot and having Arroyo Burro Creek at the rear of the lot, and accepted the front yard encroachments being proposed for both the building and guest parking spaces.

The project site is part of a 1992 gated subdivision. The undeveloped triangular-shaped lot is located between Schulte Lane, a private road, and Arroyo Burro Creek. The proposed project involves the construction of a single family residence with attached garage. A Modification is being requested to permit development and two open guest parking spaces within the required front setback. Staff discourages Modification requests for development on vacant lots. However, it is Staff's position that this site has recognized constraints that justify the relief being sought.

Although this lot is 1.8 acres in size, the irregular shape constricts the area appropriate for development. Also, at the time of the subdivision, Staff required interior setbacks off of private roads. Since then, the Ordinance has been amended to require front setbacks from private roads. This changed the required distance between the road and development from 15' to 35'. During the Design Review process the applicant was directed to push the residence back off the street. During the same time, Creeks Staff directed the applicant to provide more separation from the top of the creek bank due to the high erosion potential. The resulting location of the development balances the need for an appropriate creek buffer, while providing an adequate front setback from the street.

**VI. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed encroachment is appropriate due to the constraints dictated by the configuration of the lot and its narrow width, and the proximity of Arroyo Burro Creek and the need to provide an appropriate buffer from the creek.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated September 3, 2008
- C. SFDB Minutes
- D. Neighbor's Letters of Support

Contact/Case Planner: Roxanne Milazzo, Associate Planner  
([rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov))  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470



**Mohamed Moharram  
1349 Skyline Way  
Santa Barbara, California 93109  
(805) 202-9400**

September 3, 2008

Staff Hearing Officer  
City of Santa Barbara

Re: Modification Request for 281 Schulte Lane, Santa Barbara, 93105

APN: 055-230-002; Zone A-1.

### **BACKGROUND STATEMENT**

281 Schulte Lane (the "Property") is currently a vacant lot, triangular in shape, with its base at the south of the Property and parallel to Foothill Road. The apex of the triangle extends northerly. The Property is located in a privately gated subdivision along with three other residences. The Property is 1.83 acres in size the majority of which is located in a flood zone with an elevation of 318 feet. The BFE is 329. The building pad is a narrow triangular strip with an elevation of 331 feet and is approximately 70 feet wide and 200 feet in length (See Attachment No. 1). The Planning Commission has previously approved the construction of a 5000 square foot residence on the Property.

On the east side of the Property, there is a 30 foot easement which affects and effectively consumes 15 feet of the Property. The recommended setback for the easterly portion of the Property is 35 feet from the edge of the easement which, when added to the easement, equates to a 50 foot setback from the property line. Therefore, in order to comply with the recommended easterly setback, the already narrow Property would lose 50 feet on its easterly side.

On the west side of the Property, there is a creek with its bottom acting as the westerly property line. The distance between the bottom of the creek and the bank of the creek is 20 feet. The recommended setback on the west is 55 feet from the top of the bank which would require a 75 foot setback from the westerly property line. Therefore, in order to comply with the westerly recommended setback, the Property would lose a total of 75 feet on the west side.

Adding the easterly and westerly recommended setback figures, results in a total combined setback of 125 feet which leaves only 15 feet of width in the building pad. Clearly, 15 feet of width is insufficient to support the construction of any residence.

## MODIFICATION

Based upon the above information, a modification is essential in order to construct any sized residence on the Property. During the past several months, I have worked closely with the SFDB and attended four separate meetings in front of the SFDB. The SFDB had approximately 20 items for correction/revision which have all been fulfilled. Some of these items included reducing the massing and rotating the entire structure to better utilize the Property size and configuration (See Attachment No. 2).

The SFDB has concluded that encroachment within the setback on the eastside of the Property of about 5 feet at the south and 15 feet at the north is acceptable. In addition, the SFDB accepts inclusion of the 2 guest parking spaces in the setback. The encroachment of guest parking spaces into a setback has been previously permitted in this particular subdivision to Lot 3 (See Attachment No. 3; Planning Commission Guideline dated 3/19/92).

## BENEFITS OF PROJECT

The proposed plans have a balanced location to respect the easterly and westerly setbacks as much as possible while permitting a residence to be constructed as previously approved by the Planning Commission. In addition, this requested modification will avoid the building of a massive retaining wall on the westerly portion of the Property in close proximity to the creek.

Sincerely



*Mohamed M. Hassan*

### Enclosed ::

- 1- att #1 topography
- 2- att #2 SFDB minutes
- 3- att #3 planning Commission guidelines
- 4- att #4 photos
- 5- att #5 support letters
- 6- att #6 statistics info
- 7- master application
- 8- 4 sets of plans

## **281 SCHULTE LANE – SINGLE FAMILY DESIGN REVIEW BOARD COMMENTS**

**June 23, 2008**

Straw vote: how many Members can accept the general site location? 5/1/0 (Bernstein opposed.)

A letter in opposition from Paula Westbury, and a letter in support from Ms. Schulte were acknowledged.

Motion: Continued indefinitely to Full Board with the following comments:

- 1) Restudy the architecture and site utilization, and their relationship to internal functions, the driveway, parking area, front steps, and landscaping.
- 2) Provide accurate dashed and solid lines on the drawings showing existing and proposed contours.
- 3) Provide floodplain elevations and information.
- 4) Verify sufficient light and ventilation calculations per the Uniform Building Code.
- 5) Provide a landscaping plan.

Action: Zink/Woolery, 6/0/0. Motion carried. (Mosel absent.)

**August 4, 2008**

A letter in opposition from Paula Westbury was acknowledged. Public comment closed.

Motion: Continued indefinitely to the Full Board with the following comments:

- 1) Provide accurate grade lines on elevations.
- 2) Provide a smaller curb cut, and permeable paving, and reduce paving as much as possible.
- 3) Provide details of the creek landscaping.
- 4) Provide a preliminary drainage plan.
- 5) Show finished floor plate heights and sections.
- 6) Study the garage roof and its relationship to the railing and window columns. Study window proportions in relationship to the living room west wall.

Action: Carroll/Mosel, 6/0/0. Motion carried. (Bernstein absent.)

**August 18, 2008**

Motion: Continued to the Staff Hearing Officer and return to the Full Board with the following comments:

- 1) Study rotating the house or pushing it back to reduce the front setback encroachment. The Board has a concern for a modification for the encroachment of a two-story house close to the road.
- 2) Study reducing the two-story mass of the front elevation.
- 3) Show the proposed 55 foot setback line from the creek.
- 4) Study reducing the tower height.
- 5) Provide more variety of plants behind the house near the creek, suggested Toyon or Elderberry.
- 6) Screen the parking area with evergreen shrubs.

- 7) Reduce the driveway and guest parking area.
- 8) Reduce the balcony massing at the east elevation.
- 9) Study the trellises to be more massive.
- 10) Provide more information about the bollards.

Action: Bernstein/Carroll, 6/0/0. Motion carried. (Woolery absent.)

## **September 2, 2008**

1. Berta Schulte, 288 Schulte Lane, in favor of the project.
2. Pat Glenurnkel, 55 Santa Teresita Way, 93105, the project will be an asset to the area.
3. Written comments in support of the project submitted by Kandace Illgen were read.

Motion: Continued to the Staff Hearing Officer and return to the Full Board with the following comments:

- 1) The applicant is commended for addressing the Board's previous comments by moving the house back on the lot and reducing the second floor mass and reducing the tower mass in the setback.
- 2) It is understood that the plaza at the front of the house is an entry approach, and the bollards are an architectural feature which will contain only low level lighting.
- 3) Encroachment of the house into front yard setback is acceptable due to the constrained site. Encroachment of the guest parking in the front setback is acceptable with the proposed significant landscaping to screen public view of the cars from Schulte Lane.
- 4) Study the master bedroom plate height and correct the elevations.
- 5) Study the front shed roof at the garage.
- 6) Study the master bedroom balcony over the garage, and the intersection between the trellis and roof for a creative solution.
- 7) Provide an irrigation plan.

Action: Deisler/Carroll, 5/0/0. Motion carried. (Bernstein, Mahan absent.)



Windows Live

Re: Letter of Support

From: **Kandace Illgen** (kandaceillgen@cox.net)  
Sent: Tue 9/02/08 8:17 AM  
To: mohamed moharram (mohamed117@hotmail.com)

Date: 8/28/08

To: Single Family Design Board Chairman

Attn. Mr. William Mahan

Regarding: 281 Schulte Lane, Santa Barbara, CA 93105

Dear Mr. Mahan,

My husband John Illgen, and I are neighbors residing with our 16 year old son at 276 Schulte Ln. We have seen the architectural plans for 281 Schulte Ln. and are pleased with the appearance of the home, including the distance from the road (Schulte Ln.) and the height and size of the home. Dr. Moharram has been extremely forthright in sharing his plans with us and asking for our input. We are satisfied that his plans are solid.

Should you have any questions as to our support, please feel free to call at 682-4411 or to email us at kandaceillgen@cox.net.

Sincerely,

Kandace S. Illgen

276 Schulte Ln.

Santa Barbara, CA 93105

----- Original Message -----

From:  
To:  
Sent: Monday, September 01, 2008 8:08 PM  
Subject: RE: Letter of Support

I did not receive the letter, could you try again and or fax it to me 963 5950

From:  
To:  
Subject: Letter of Support  
Date: Mon, 1 Sep 2008 19:41:28 -0700

Exhibit D

June 10, 2008

Mr. Mohamed Moharram  
281 Schulte Lane  
Santa Barbara, CA 93105


RE: City of Santa Barbara Single Family Design Board

To Whom It May Concern:

My name is Berta Schulte and I am Mr. Moharram's neighbor located at 288 Schulte Lane. I am writing this letter in support of Mr. Moharram's desire to build a single family dwelling on 281 Schulte Lane.

I have known Mr. Moharram for some time and believe he is a very sincere and honest person. I would welcome him as my neighbor and encourage your support of his project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Berta A. Schulte", followed by a horizontal line.

Berta Schulte  
288 Schulte Lane  
Santa Barbara, CA 93105  
Ph. 805 687-0190